



Erik Wilson
City Manager
City of Plainwell
141 North Main Street
Plainwell, MI 49080

Subject:

Request for Permission to Access Your Property

Dear Mr. Wilson:

On behalf of the Kalamazoo River Study Group (KRSG), we are requesting permission to access City of Plainwell properties:

600 Allegan St. 55-030-077-30

554 Allegan St. 55-030-077-20

180 Michigan Ave. 55-030-076-00 "West portion"

126 Fairlane St. 55-030-089-50 "Northeast portion"

670 Allegan St. 55-019262-00

Township 1N, Range 11W, and Section 19 in the City of Plainwell, Michigan, as shown on the attached figure, hereinafter referred to as "City Property" to support construction work within and along the Kalamazoo River. Starting this spring, licensed contractors under the oversight of both the United States Environmental Protection Agency (USEPA) and the Michigan Department of Environmental Quality (MDEQ), will be removing sediments from the Kalamazoo River and soils from along its banks. The USEPA and MDEQ have reviewed and approved the plans that describe the removal activities, and a USEPA representative will be at the site every day to oversee the work.

The majority of areas targeted for soil and sediment removal are owned by the State of Michigan. However, to successfully complete the USEPA-approved project, we are requesting permission to access your property. We are also requesting similar access from neighboring private landowners for a variety of purposes, including building construction access roads to the river and building staging areas for equipment and materials. We will be contacting you very soon to discuss the specific plans for your property.

Field work is scheduled to begin later this month, and the overall project is expected to be finished by May 2009. By signing and returning an acknowledgement copy of this letter, the City grants access to ARCADIS BBL, its employees, subcontractors

ARCADIS U.S., Inc.
30 West Monroe
Suite 1710
Chicago
Illinois 60603
Tel 312.332.4937
Fax 312.332.4434
www.arcadis-us.com

Date:

June 19, 2007

Contact:

Steve Garbaciak

Phone:

312.332.4937 x 12

Email:

Steve.Garbaciak@
arcadis-us.com

Our ref:

B00645.30.670 #2

Imagine the result

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and legal representatives through May 2008 to enter on to City Property provided City officials shall be notified by phone that ARCADIS BBL will be on the property three (3) days prior to entry. City officials shall have the right to reasonably determine if and when the work on the property is too disruptive of vehicular or pedestrian travel or the City's use of the site and to reasonably limit the times during which the work can occur.

ARCADIS BBL, its employees, subcontractors and legal representatives shall conduct all activities on City Property in a safe and workmanlike manner.

ARCADIS BBL shall exercise due care when accessing City Property under this Agreement to avoid the exacerbation of any pre-existing hazardous materials or conditions or the introduction of any new hazardous materials or conditions onto City Property by ARCADIS BBL, its employees, subcontractors or legal representatives. ARCADIS BBL, its employees, subcontractors and legal representatives shall perform all activities on City Property in compliance with all applicable environmental laws and will possess all applicable environmental, health and safety permits, licenses and other governmental authorizations required in connection with such activities.

ARCADIS shall promptly remove and dispose of those waste materials introduced by ARCADIS BBL, its employees, subcontractors or legal representatives onto City Property and the City shall have no responsibility for such materials. ARCADIS BBL's activities on City Property shall be performed in a way to avoid the introduction of contamination of the property or spillage on any streets or rights-of-way, in accordance with the provisions of the USEPA approved plan governing these activities and applicable law. ARCADIS BBL shall not be liable to the City for the cleanup or removal of any pre-existing contamination on City Property, if any, except to the extent such conditions were exacerbated by ARCADIS BBL (it being understood and agreed by the City of Plainwell that ARCADIS BBL was not the generator of any of these pre-existing hazardous materials or conditions).

ARCADIS BBL shall indemnify and hold the City, including its officers employees and agents, harmless from, (with legal counsel reasonably acceptable to the City and ARCADIS BBL) against any and all demands, claims, judgments, awards, administrative actions or proceeding, judicial actions or proceedings, criminal actions, arbitrations, or other losses or costs of any type or kind to the extent caused by or arising from ARCADIS BBL's breach of its obligations hereunder with regard to use or occupancy of City Property by ARCADIS BBL, its employees, Subcontractors or legal representatives. Notwithstanding anything herein to the contrary, the City agrees that ARCADIS BBL shall not incur any liability hereunder as a generator or a person arranging for the treatment, storage, or disposal of any petroleum products, hazardous materials, hazardous substances, hazardous wastes, toxic substances, toxic wastes, or other similar waste materials or contaminants regulated under any applicable federal, state, or local law. Permission to access City Property may be

revoked by the City at any time upon delivery of three days' prior written notice if ARCADIS BBL shall be in material breach of its obligations hereunder.

Throughout the project, a key priority of our field crews will be safety. The teams will follow approved procedures designed to keep themselves and you and your neighbors safe. When all work is finished, we will restore your property to its original condition, and disturbed areas will be stabilized and planted with native vegetation, as described in the USEPA-approved plan.

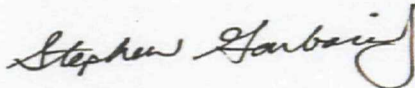
We have included two copies of this letter and a pre-paid, self-addressed envelope. If you choose to grant us access to your property, please sign below and return one copy in the included envelope. Because of the urgency of this project, we respectfully request your response by March 16, 2007.

We will contact you shortly to answer any questions you may have. In the meantime, please feel free to call me at 312.332.4937, ext. 12. If you have any questions about the nature of the removal work itself, please contact Sam Borries of the USEPA at 312.353.8360, or Paul Bucholtz with the MDEQ at 517.373.8174.

Thank for your assistance and cooperation.

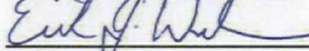
Sincerely,

ARCADIS of New York, Inc.



Stephen Garbaciak Jr., P.E.
Principal Engineer/Vice President

PERMISSION GRANTED:



ERIK J. Wilson, City Manager

[First Name]

Daytime Telephone Number:

269-685-6821 (office)

269-207-7319 (cell)

PERMISSION GRANTED:

Rick UPRDIKE

Public Works Superintendent

[Second Name]

Daytime Telephone Number:

269-685-9363

269-207-7320

Copies:

Paul T. Bucholtz, MDEQ

Sam Borries, USEPA

Mark E. Tapp, KRSG

Mark P. Brown, Ph.D., KRSG



670 Allegan St. 55-019-262-00

126 Fairlane 55-030-089-50
"Northeast Section"

180 Michigan Ave. 55-030-076-00
"West Section"

600 Allegan St. 55-030-077-3

554 Allegan St. 55-030-077-20